**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

Writ Petition No.18264 of 2005

19-08-2005

Between:

Shaik Zahoor Alam

**... PETITONER**

AND

1. The District Collector, Collector Office, Mahabubnagar and others.

**.....RESPONDENTS**

**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

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Writ Petition No.18264 of 2005

**ORDER:**

This writ petition is filed seeking a direction to the respondents to execute Registered Exchange Deed in favour of the petitioner and his family members to allot the exchanged plots as shown in the sketch annexed to Resolution No.2 of 1999 dated 10.08.1999 and consequently direct the respondents to stop the illegal constructions in the exchanged plot Nos.1-10-80/B, C and D situated in Survey No.75 of Shah Shabgutta, Mahabubnagar Town, Mahabubnagar District.

According to the petitioner, his father is the owner of plot No.1-10-80/C in an extent of 109 sq.yards, his eldest brother is the owner of plot No.1-10-80/B in an extent of 123 sq.yards; his another brother is the owner of plot No.1-10-80/D and he is the owner of plot No.1-10-80/A situated at Shah Shabgutta, Mahabubnagar Town. It is stated that the respondents are constructing a Government Primary School for Urdu Medium by acquiring three plots i.e., 1-10-80/B, C and D. Hence, they passed a resolution for exchange of plots, and allotted their plots to the petitioner's family members and also signed the resolution. However, the grievance of the petitioner is that no registered document was executed in consonance with Resolution No.2 of 1999. Therefore, it is difficult for the petitioner's family members to claim title over the exchanged plots. It is also contended that even with reference to the exchanged plots, the respondents are continuing the construction of the school building. Therefore, the petitioner has come up with the present writ petition seeking a

direction to the respondents for execution of necessary registered exchange deeds.

The entire dispute relates to the immoveable property where there seems to be some exchange of plots between the petitioner's family members and the respondents, as alleged. If there is any dispute as to the execution of the documents or any other aspect of such a transaction, it is for the petitioner to approach appropriate civil Court, but he cannot come up with a writ petition seeking direction for execution of registered exchange deeds. Therefore, the writ petition is not maintainable.

Accordingly, the writ petition is dismissed as not maintainable. No costs.

19.08.2005

VGB